IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 2804 of 2007

Date of Decision : 23.02.2007

Ashok Kumar Garg ... Petitioner

Versus

State of Punjab and another. .. Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR,
HON'BLE MR. JUSTICE S.D. ANAND.

Present : Mr. Rakesh Garg, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

The petitioner was inducted into the service of the respondents as Senior Technical Assistant. Onward promotion from the post of Senior Technical Assistant is to the post of Junior Technical Officer. The grievance of the petitioner is, that the claim of the petitioner was not considered for promotion to the post of Junior Technical Officer, when persons junior to the petitioner in the cadre of Senior Technical Assistant were considered and promoted as such, in 1991.

It is not possible for us to allow the petitioner to grudge the promotion of his juniors, to the post of Junior Technical Officer, made in the year 1991. Additionally, it would be pertinent to mention, in response to the notice issued by the petitioner, that the Director, Industries & Commerce, Punjab, informed the petitioner, that there was no post of Junior Technical Officer (Chemical) existing, against which the claim of the petitioner could be considered.

The petitioner also claims promotion to the post of Project

Manager. Learned counsel for the petitioner vehemently contends, that the statutory rules governing the condition the service of the petitioner laid down one avenue of promotion for Senior Technical Assistants, namely, to the post of Project Manager. It is also the contention of the learned counsel for the petitioner, that the petitioner fulfills all requisite qualifications for promotion to the aforesaid post. Despite thereof, it is submitted, that his claim is not being considered, for the post of Project Manager.

The aforesaid contention of the learned counsel for the petitioner is also unacceptable in law. Merely because the petitioner is eligible for promotion to the post of Project Manager, does not entitled him to claim such promotion. As and when the respondents choose to fill up the post of Project Manager, the claim of the petitioner is liable to be considered in terms of statutory rules governing his conditions of service.

Dismissed.

(J.S. Khehar)
Judge

February 23, 2007 (S.D. Anand)
vkd Judge